

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

SAPPHIRE BEACH RESORT AND MARINA
CONDOMINIUM ASSOCIATION,

Plaintiff,

v.

RUBY PACHECO-BONANNO, THE UNITED
STATES SMALL BUSINESS
ADMINISTRATION and CITIBANK, N.A.

Defendants.

Civil No. 2002-50

RUBY PACHECO-BONANNO,

Third-Party Plaintiff,

v.

BAYSIDE RESORTS, INC., and EDWARD
M. BARRY,

Third-Party Defendants.

Attorneys:

George Ethridge, Esq.

St. Thomas, U.S.V.I.

James M. Derr, Esq.

St. Thomas, U.S.V.I.

*For Sapphire Beach Resort and Marina Condominium
Association,*

Sharon Schoenleben, Esq.

St. John, U.S.V.I.

For Ruby Pacheco-Bonanno,

Timothy J. Abraham, AUSA

St. Thomas, U.S.V.I.

For Small Business Administration,

Charles S. Russell, Esq.
St. Thomas, U.S.V.I.
For Bayside Resorts, Inc.

ORDER

GÓMEZ, C.J.

Several motions in the above-captioned action are now before the Court:

1. Defendant the United States Small Business Administration (the "SBA") moves for summary judgment and to dismiss this action against it;
2. Third-party defendant Bayside Resorts, Inc. ("Bayside") moves to dismiss this action against it; and
3. Defendant and third-party plaintiff Ruby Pacheco-Bonanno ("Pacheco-Bonanno") moves to remand this action to the Superior Court of the Virgin Islands (the "Superior Court").

For the reasons more fully stated in the Memorandum Opinion of even date, it is hereby

ORDERED that the SBA's motion for summary judgment is **GRANTED**; it is further

ORDERED that the SBA is **DISMISSED** from this matter; it is further

ORDERED that Bayside's motion to dismiss this action against it is **GRANTED**; it is further

ORDERED that Pacheco-Bonanno's motion to remand this matter is **GRANTED**; it is further

ORDERED that this matter is **REMANDED** to the Superior Court of the Virgin Islands; and it is further

ORDERED that the Clerk of the Court shall **CLOSE** this matter.

Dated: December 20, 2007

S_____
Curtis V. Gómez
Chief Judge

Copy: Hon. Geoffrey W. Barnard
George Ethridge, Esq.
James M. Derr, Esq.
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Timothy J. Abraham, AUSA
Charles S. Russell, Esq.
Carol Jackson
Claudette Donovan
Olga Schneider
Gregory F. Laufer